

CANADA'S HEROES

SOMETIMES HEROES ARE STUBBORN. FOR 10 MONTHS, Susan Drummond has been battling Rogers Wireless over a disputed cell-phone bill. On returning last August from a monthlong work-related trip to Israel, Drummond, 46, a law professor at Osgoode Hall at Toronto's York University, opened her phone bill: a shockingly high C\$12,237.60, up from her usual C\$75. Drummond had left her phone in Toronto, and is unsure how it went missing. But more than 320 calls had been made to India, Pakistan and Syria, countries Drummond says she has never dialed. She notified the police on Aug. 27, the day after she returned to Canada, that her phone had been stolen. She expected to work with Rogers Wireless to catch the thief. Instead, she was told to pay up because the charges had accumulated before she reported the phone stolen. When she refused to pay, Rogers Wireless retaliated, eight days before her payment was due on Sept. 10, by blocking the service of a different Rogers phone that Drummond had purchased for her son, then 11.

Drummond and her husband Harry Gefen, 49, a technology journalist, have become unwitting experts on how Canadian consumers can take on corporate giants. They began by researching Rogers' policies and practices. Gefen attended a conference on security where one of the speakers was Cindy Hopper, manager of law-enforcement support for Rogers' fraud and security divisions. Hopper (unaware of Drummond and Gefen's situation) told him how in the late 1990s a terrorist group had used scanners aimed at Rogers' offices to capture the numbers and codes of the cell phones belonging to the company's senior brass, including founder Ted Rogers. While today's wireless technology makes such hacking more difficult, Gefen says it at least shows that Rogers should be aware of instances of theft. Hopper also revealed that Rogers runs automated security software that alerts the company to "extraordinary" changes in calling patterns and sometimes shuts off the phone if the customer can't be reached.

Drummond and Gefen told their tale to the *Globe and Mail*, which ran a front-page story on them just before Christmas. The morning the article ran, Ted Rogers phoned the couple and said he was "accountable." He told them the bill would be erased. (It was.) He even agreed to go to the couple's home for tea. That was important to Drummond and Gefen, who wanted to tell him how to fix a system stacked against the customer. On the day of their meeting, he didn't show up. Jan Innes, a spokeswoman for Rogers Wireless, says Ted Rogers would still like to meet with the couple but would like the session to take place at his offices. Innes acknowledges that the company made a mistake and says that under the company's normal protocol Drummond should have been contacted about the calls. Innes also says Rogers has since "corrected the situation": in addition to erasing the bill, the company sent Drummond a C\$5,000 check for the couple's troubles.

Drummond refuses to cash the check. The couple can't help wondering about customers who have found themselves in similar battles but aren't lawyers or technology journalists. Because Rogers shut off her son's cell phone, Drummond is seeking C\$10,000 in small-claims court for breach of contract. She's also asking for punitive damages. "I'll be happy if even a \$1 punitive is awarded," Drummond says, because it would send the message to the unregulated wireless industry (or any industry, for that matter) that it needs to be accountable to customers. Should Drummond and Gefen succeed, other customers will be thankful the pair didn't capitulate. —By Chris Daniels